

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

SPENCER ALLEN FORD,)	
)	
Petitioner,)	
)	
vs.)	CIVIL NO. 10-cv-224-DRH
)	
W.A. SHERROD,)	
)	
Respondent.)	

MEMORANDUM AND ORDER

HERNDON, Chief Judge:

Petitioner, an inmate serving a 66-month sentence in the Federal Correctional Institution located in Greenville, Illinois (FCI-Greenville), brings this habeas corpus action pursuant to 28 U.S.C. § 2241 alleging that the Warden at FCI-Greenville, Respondent W.A. Sherrod, is violating his constitutional rights by failing to make an individualized determination concerning Petitioner's placement in a Residential Reentry Center (RRC).

The Court notes, however, that Petitioner has not yet paid the applicable \$5 filing fee for instituting a § 2241 action, 28 U.S.C. § 1914(a), or filed a motion to proceed *in forma pauperis* with respect to it. Petitioner was notified by the Clerk of Court of his obligation to pay the filing fee or to file a motion to proceed *in forma pauperis*. See (Doc. 2). The Clerk of Court even provided Petitioner with a form for seeking *pauper* status in this action. *Id.*

Accordingly, **IT IS HEREBY ORDERED** that within **FIFTEEN** (15) days of the date of this Order, Petitioner shall either pay to the Clerk of Court the full \$5 filing fee or file with the Clerk

of Court a proper motion to proceed *in forma pauperis* with respect to this action. The Clerk of Court is **DIRECTED** to provide Petitioner with a form motion to proceed *in forma pauperis*.

IT IS FURTHER ORDERED, that if Petitioner fails to either pay the \$5 filing fee or to file a proper motion to proceed *in forma pauperis* within the time period specified, then the instant action will be dismissed, without prejudice, for failing to comply with an order of this Court as provided in Rule 41(b) of the Federal Rules of Civil Procedure.

IT IS SO ORDERED.

DATED: August 13, 2010

/s/ David R Herndon
DISTRICT JUDGE